



## Declaration and Power of Attorney United States Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.  
I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### NUCLEOTIDE SEQUENCES WHICH CODE FOR THE fadD15 GENE

*(check one)*

- is attached hereto.  
 was filed as U.S. Application No. 09/855,750 on May 16, 2001  
and (*if applicable*) was amended on \_\_\_\_\_.  
 was filed as PCT International Application No. \_\_\_\_\_ on \_\_\_\_\_ and (*if applicable*) was amended under PCT Article 36 on \_\_\_\_\_.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign and PCT application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America listed in this Declaration. I have also identified below any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application(s) on which priority is claimed:

Foreign/PCT Application No.	Country	Filing Date	Priority Claimed? (yes/no)
100 21 831.8	Germany	May 4, 2000	Yes

I hereby claim the benefit under Title 35, United States Code, §120 or §365(c) of any United States application and PCT international application designating the United States of America listed in this Declaration and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Application No.	Filing Date	Status (patented/pending/abandoned?)
09/577,848	May 25, 2000	Abandoned

I hereby claim priority benefits under Title 35 United States Code §119(e) of any U.S. provisional application(s) listed below:

U.S. Provisional Application No.	Filing Date

I/we hereby appoint all attorneys of Smith, Gambrell & Russell, LLP, who are listed under the USPTO Customer Number shown below as my/our attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Smith, Gambrell & Russell, LLP, and request that all correspondence be addressed to the address filed under the same USPTO Customer Number.

**00441**

Please send all correspondence to: SMITH, GAMBRELL & RUSSELL, LLP, 1850 M Street, N.W. (Suite 800), Washington, D.C. 20036. All facsimiles may be sent to (202) 263-4329. Direct all phone calls to (202) 263-4300.

**Address all correspondence to:**

Brett L. Nelson  
SMITH, GAMBRELL & RUSSELL, L.L.P.  
1850 M Street, N.W., Suite 800  
Washington, DC 20036-5819

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Madhavan NAMPOOTHIRI K. Citizenship: India  
Residence (city, state, country): Kerala, INDIA  
Post office address: Chandramana Thevamnoor (PO) Ayur (Via) Quilon (Dist.) PIN 691533 INDIA

Signature: 

Date: ✓ 27.12.2004

Full name of second inventor: Bettina MÖCKEL Citizenship: German  
Residence (city, state, country): Düsseldorf, GERMANY  
Post office address: Benrodestrasse 35, D-40597, Düsseldorf, GERMANY

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of third inventor: Walter PFEFFERLE Citizenship: German  
Residence (city, state, country): Halle, GERMANY  
Post office address: Jahnstrasse 33, D-33790 Halle, GERMANY

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of fourth inventor: Lothar EGGLING Citizenship: German  
Residence (city, state, country): Jülich, GERMANY  
Post office address: Eisenkamp 6, D-52428, Jülich, GERMANY

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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Residence (city, state, country): Düsseldorf, GERMANY  
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Residence (city, state, country): Halle, GERMANY  
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Signature: Walter Pfefferle Date: 11/29/2004

Full name of fourth inventor: Lothar EGGLING Citizenship: German  
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Signature: Lothar Egging Date: 11/29/2004

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FAX NO.

P. U/

Full name of fifth inventor:

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Signature: ✓ Hermann Jahn

Date: 11/29/04